

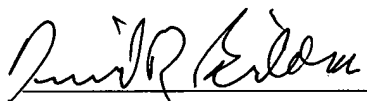
## REMARKS

- 1) Claims 1-20 were pending. The Office action rejected claims 1-4, 6-14 and 16-20 under 35 USC 103(a) as being unpatentable over Yang 6407699. Claims 5 and 15 were objected to as dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.
- 2) Original claims 5 and 15 are currently amended in independent form to recite the idea of using staggered first through Nth invert times. Yang does not show or suggested this idea. New dependent claims 21 and 22 recite limitations that were included in the original claim 5. New dependent claims 23 and 24 recite limitations that were included in the original claim 15.
- 3) Original claims 1 and 11 are currently amended to recite that first through Nth unsigned accumulation values are determined for a plurality of accumulation time periods for each of the first through Nth assumed data bit transition times and then the unsigned values are combined for like assumed transition times for providing the first through Nth integrations. The values are "unsigned" in order to resolve the problem of combining accumulated values over multiple data bit time periods when the data bits change from 1 to 0 (or 0 to 1). This solution to this problem is not shown or suggested by Yang.
- 4) Original claims 10 and 20 are currently amended to insert that a largest of the first through Nth unsigned accumulated values is determined for a plurality of

accumulation time periods and the actual data bit transition time is determined from the assumed data bit transition time resulting in the largest number of largest values. These claims are based on the textual description of the histogram method (page 16, starting at line 24 in the hardcopy original specification). Yang does not show or suggested this idea.

5) Accordingly, the applicant respectfully requests reconsideration and allowance of claims 1-24 as currently amended.

6) The applicant wishes to encourage the Examiner to call the applicant's agent at 650-853-0189 for a telephone conference if the Examiner feels that such conference could expedite prosecution.

 1/24/2005

David R. Gildea

date

Reg. No. 38,465